

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Dr. Lee D. Hudelson,

Plaintiff,

Civ. Nos. 10-1007 & 10-691 (RHK/RLE)

ORDER

v.

Berkshire Life Insurance Company
of America,

Defendant.

This matter is before the Court *sua sponte*. Plaintiff has filed a Motion to Remand to State District Court and Defendant has filed a Motion to Consolidate Cases, both of which are scheduled to be heard by the Court on May 20, 2010, at 10:00 a.m. Having reviewed the parties' submissions, the Court does not believe that oral argument will materially assist its resolution of the Motions. Accordingly, **IT IS ORDERED** that the hearings on the parties' Motions are **CANCELED** and the Motions are deemed submitted as of this date.

Dated: May 17, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge